

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA *ex rel.*
LAYNE FOOTE *et al.*,

Plaintiffs,

v.

ASTRAZENECA LP and
ASTRAZENECA PHARMACEUTICALS LP,

Defendants.

C.A. No. 1:10-cv-00095-SLR

**JOINT STATUS REPORT AND
REQUEST FOR ASSIGNMENT AND STATUS CONFERENCE**

Pursuant to a Joint Stipulation that was filed in this Court on September 22, 2015 [Dkt. 80], Plaintiffs/Relators Layne D. Foote and Mark T. Lorden, and Defendants AstraZeneca LP and AstraZeneca Pharmaceuticals LP, each by their undersigned counsel, submit this Joint Status Report and Request for Assignment and Status Conference. In support thereof, the parties jointly state as follows:

1. This is an action arising under the federal False Claims Act and state analogues (“False Claims Statutes”). The case initially was filed under seal on February 5, 2010 [Dkt. 1-2], but it was not unsealed until October 31, 2013 [Dkt. 50]. Plaintiffs/Relators allege that Defendants have engaged in conduct that violated the False Claims Statutes, among others.

2. On September 23, 2015, this case was closed for administrative purposes pursuant to a Joint Stipulation [Dkt. 80] that requested a stay while a substantially similar *qui tam* lawsuit involving the same Relators and Defendants was litigated in Texas state court (the “Texas Action”). At the time this case was administratively closed, a motion to dismiss had been fully

briefed and was argued to the Court (Honorable Susan L. Robinson) on August 4, 2015, but no decision had been rendered.

3. The Texas Action was resolved through a settlement that became effective on July 27, 2018. The parties subsequently met and conferred regarding the implication of that settlement on this action.

4. The parties agree, and they jointly request, that the Court defer ruling on the pending motion to dismiss and convene a status conference. The parties submit that such steps are necessary due to the retirement of Judge Robinson.

WHEREFORE, the parties jointly request (i) that the administrative closure of this case be lifted; (ii) that this case be reassigned; and (iii) that a status and scheduling conference be convened.

Respectfully submitted,

Dated: October 29, 2018

By: /s/ David A. Dorey

David A. Dorey (DE ID No. 5283)
BLANK ROME LLP
1201 Market Street, Suite 800
Wilmington, DE 19801
Telephone: (302) 425-6400
Facsimile: (302) 425-6400

Alan M. Freeman (*pro hac vice*)
BLANK ROME LLP
1825 Eye Street, NW
Washington, D.C. 20006

W. Scott Simmer (*pro hac vice*)
BARON & BUDD
600 New Hampshire Avenue, NW
Suite 10-A
Washington, D.C. 20037

Counsel for Plaintiffs/Relators

-and-

By: /s/ Jody C. Barillare

Jody C. Barillare (DE ID No. 5107)
MORGAN LEWIS & BOCKIUS LLP
The Nemours Building
1007 N. Orange Street, Suite 501
Wilmington, DE 19801
Telephone: (302) 574-3400
Facsimile: (302) 574-3001

John C. Dodds (*pro hac vice*)
Rebecca J. Hillyer (*pro hac vice*)
Evan K. Jacobs (*pro hac vice*)
MORGAN LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-5000
Facsimile: (215) 963-5001

Counsel for Defendants